

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MOHAMMAD KHALIL,

Petitioner,

- versus -

UNITED STATES,

Defendant.

ORDER

10-cv-1551

JOHN GLEESON, United States District Judge:

Based on the statements made by counsel at the status conference on May 28, 2013 and the stipulation of facts filed by the parties, ECF No. 43, I hereby recommend to the United States Court of Appeals for the Second Circuit the factual finding that Mohammad Khalil's original appellate counsel, Steven M. Statsinger, failed to file for certiorari, notwithstanding Khalil's request that he do so, in contravention of the Criminal Justice Act, 18 U.S.C. § 3006A.

The Clerk of the Court is respectfully directed to forward this order and the stipulation of facts to the Clerk of the United States Court of Appeals for the Second Circuit.

So ordered.

John Gleeson, U.S.D.J.

Dated: June 12, 2013  
Brooklyn, New York